

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
Baltimore Division

IN RE:

DEBRA WESTERFELD

Debtor

Chapter 13

Case No. 21-12452-NVA

COMMUNITY LOAN SERVICING, LLC, A
DELAWARE LIMITED LIABILITY
COMPANY

Movant

Ref No. 18

v.

DEBRA WESTERFELD
7703 OLD BATTLE GROVE ROAD
DUNDALK, MD 21222
(Debtor)

ROBERT S. THOMAS II
300 E JOPPA ROAD, SUITE 409
TOWSON, MD 21286
(Trustee)

Respondents

OBJECTION TO CONFIRMATION

Community Loan Servicing, LLC, a Delaware Limited Liability Company by its undersigned attorneys, Orlans PC, hereby objects to the confirmation of the Chapter 13 plan filed by the Debtor Debra Westerfeld (“Debtor”), and as grounds therefore states as follows:

1. On or about September 7, 2011, Debra Westerfeld and Earl J. Westerfeld executed and delivered to Suntrust Mortgage, Inc. a promissory note (the “Note”) in the amount of EIGHTY-THREE THOUSAND FIVE HUNDRED SIXTY DOLLARS AND NO CENTS (\$83,560.00), plus interest.

2. Debra Westerfeld and Earl J. Westerfeld executed a Deed of Trust to Suntrust Mortgage, Inc. dated September 7, 2011. The Deed of Trust is a first mortgage on real property owned by the Debtor known and numbered as 7703 Old Battle Grove, Dundalk, MD 21222.
3. The current holder of the loan is Community Loan Servicing, LLC, and Debtor identifies the Creditor in their schedules.
4. In Section 4.6.2 of the Plan the Debtor identifies Suntrust Bank, and states an arrearage of \$15,095.20 is being cured.
5. In section 4.6.5 of the Plan the Debtor identifies multiple Creditors, but not Community Loan Servicing, LLC, as being paid outside of the plan.
6. The Debtor's Chapter 13 Plan is unclear how it intends to address Community Loan Servicing, LLC.
7. As of April 14, 2021, the pre-petition arrearage was approximately \$1,030.58. This figure is an estimate, subject to revision pending the filing of a formal proof of Claim by the Creditor.
8. If the Plan is amended after the filing of the Proof of Claim to treat the arrearage alleged in the Proof of Claim through pre petition arrearage cure payments to the Trustee and direct post petition payments to the Creditor, this objection will be deemed resolved.

WHEREFORE, Community Loan Servicing, LLC, a Delaware Limited Liability Company, by and through its attorneys prays that Confirmation be denied.

Date: 6/4/2021

Respectfully submitted,

/s/ Paul J. Moran

James E. Clarke, Bar #15153

John E. Tarburton, Bar #26398

Paul J. Moran, Bar #19595

Elizabeth M. Abood-Carroll, Bar #20631

Orlans PC

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CERTIFICATE OF SERVICE

The undersigned states that on June 4, 2021, copies of the foregoing Objection to Confirmation were filed with the Clerk of the Court using the ECF system, which will send notification of such filing to the following:

Robert S. Thomas II
300 E Joppa Road, Suite 409
Towson, MD 21286
ECF@ch13balt.com
Bankruptcy Trustee

William Frederick Steinwedel
Maryland Legal Aid Bureau
500 E. Lexington Street
Baltimore, MD 21202
wsteinwedel@mdlab.org
Debtor's Attorney

and I hereby certify that I have caused to be mailed by first class mail, postage prepaid, copies of the foregoing Objection to Confirmation to the following non-ECF participants:

Debra Westerfeld
7703 Old Battle Grove Road
Dundalk, MD 21222
Debtor

/s/ Paul J. Moran
James E. Clarke, Esquire
John E. Tarburton, Esquire
Paul J. Moran, Esquire
Elizabeth M. Abood-Carroll, Esquire